

Supplemental **Notice of Allowability**

Application No.

10/064,312

Applicant(s)

ARNDT ET AL.

Examiner

Lien T Tran

Art Unit

1761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Nov. 17, 2003.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ The drawings filed on 01 July 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Lien Tran
LIEN TRAN
PRIMARY EXAMINER

Group 1700



PATENT
Atty Docket No. 59405
Express Mail Label No. EV334814435US

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Elizabeth A. Arndt et al.
Serial No.: 10/064,312
Filed: July 1, 2002
For: METHOD AND COMPOSITION
RELATED TO LOW
GLYCEMIC INDEX FOODS

Group No. 1761
Examiner: Tran Lien, Thuy
Confirmation No. 6411

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Dear Sir:

Attached hereto and transmitted herewith are the following:

- ☒ Fee Transmittal 2004 (1 page, in duplicate)
- ☒ *Supplemental* Notice of Allowability
- ☒ A Part B – Fee(s) Transmittal) (1 page, in duplicate)
- ☒ Check No. 285366 in the amount of \$1,630.00
- ☒ A Certificate of Mailing by Express Mail
- ☒ A Stamped, Pre-Addressed Postcard

CERTIFICATE OF MAILING

I hereby certify that, on the date shown below, this correspondence is being

- ☒ deposited with the United States Postal Service in an envelope addressed to Mail Stop ISSUE FEE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

MAILING

- 37 C.F.R. §1.8**
☐ as first class mail.

- 37 C.F.R. §1.10**
☒ as "Express Mail Post Office to Addressee"
EXPRESS MAIL NO. EV334814435US.

FACSIMILE TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Cheryl R. Couzens
Name of Depositor

Cheryl R. Couzens
Signature

2.24.04
Date

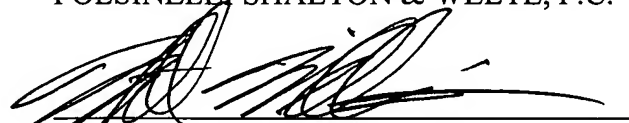
PATENT
Atty Docket No. 59405
Express Mail Label No. EV334814435US

The Commissioner is authorized to charge any fees against our Deposit Account No. 50-1662. A duplicate copy of this transmittal is attached.

Date: Feb 24, 2009

Respectfully submitted,


POLSINELLI SHALTON & WELTE, P.C.

A handwritten signature in black ink, appearing to read 'Michael A. Williamson', is written over a horizontal line.

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Attorney for Applicants

26500 / 59405
MAWIL 1074675



CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Matter No.	
Applicant(s): Elizabeth A. Arndt et al.			59405	
Serial No.	Filing Date	Examiner	Group Art Unit	Conf. No.
10/064,312	July 1, 2002	Tran Lien, Thuy	1761	6411
Invention: METHOD AND COMPOSITION RELATED TO LOW GLYCEMIC INDEX FOODS				
<p>I hereby certify that a Transmittal (2 pages, in duplicate); a Fee Transmittal for FY 2004 (1 page, in duplicate); a Supplemental Notice of Allowability (1 page); a Part B Fee(s) Transmittal (1 page, in duplicate); Check No. 285366, in the Amount of \$1,630.00 (issue fee and publication fee); a Certificate of Mailing by Express Mail (1 page); authorization to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-1662; and a stamped, pre-addressed postcard are being mailed by U.S. Postal Service Express Mail to Addressee, to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-4150, this 24th day of February, 2004.</p> <p style="text-align: center;"><u>Cheryl R. Couzens</u> (Typed or Printed Name of Person Mailing Correspondence)</p> <p style="text-align: center;"> (Signature of Person Mailing Correspondence)</p> <p style="text-align: center;"><u>EV334814435US</u> (“Express Mail” Mailing Label Number)</p>				

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